

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

PHILIP ANGUS,

on behalf of himself and all others
similarly situated,

Plaintiff,

vs.

FLAGSTAR BANK, FSB,
a Michigan-based federally chartered
stock savings bank,

Defendant.

Case No.: 4:22-cv-11385-SDK-KGA

Hon. Shalina D. Kumar

***COUSINO* PLAINTIFFS' RESPONSE TO MOTION TO SET BRIEFING
SCHEDULE FOR MOTIONS TO APPOINT INTERIM LEAD COUNSEL**

Plaintiffs in *Cousino v. Flagstar Bank, FSB*, No. 2:22-cv-11619-VAR-KGA (“*Cousino* Plaintiffs”) hereby respond to Plaintiff Philip Angus’s Motion to Set Briefing Schedule for Motions to Appoint Interim Lead Counsel (“Motion”) (ECF No. 16).

The *Cousino* Plaintiffs reiterate that they do not oppose consolidation with this action. *See* ECF No. 15, *Cousino* Plaintiffs’ Response to Fifth Motion to Consolidate Cases. However, the relief sought by Plaintiff Angus is premature at this juncture, as this Court has not yet entered an order consolidating all related

matters. Moreover, the *Cousino* Plaintiffs were not informed of Plaintiff Angus's Motion and, as a result, only recently learned of the relief sought therein. Therefore, if this Court is inclined to permit motions to appoint interim lead counsel at this time, Plaintiffs respectfully request that any deadline be set to, at the very least, **October 28, 2022**, to ensure that all interested parties have a sufficient opportunity to consider and submit such motions to this Court. The *Cousino* Plaintiffs further request that the page limit for any brief in support of a motion for the appointment of interim lead counsel remain at 25 pages, in accordance with Eastern District of Michigan Local Rule 7.1(d)(3)(A).

Dated: October 4, 2022

Respectfully submitted,

/s/ E. Powell Miller

E. Powell Miller (P39487)

Sharon S. Almonrode (P33938)

THE MILLER LAW FIRM, P.C.

950 West University Drive, Suite 300

Rochester, MI 48307

Telephone: (248) 841-2200

Fax: (248) 652-2852

epm@millerlawpc.com

ssa@millerlawpc.com

Joseph H. Meltzer

Melissa L. Troutner

Ethan J. Barlieb

KESSLER TOPAZ MELTZER &

CHECK, LLP

280 King of Prussia Road

Radnor, PA 19087

Telephone: (610) 667-7706

Fax: (610) 667-7056

jmeltzer@ktmc.com

mtroutner@ktmc.com

ebarlieb@ktmc.com

Gretchen Freeman Cappio (P84390)

Ryan P. McDevitt (P84389)

Sydney Read

KELLER ROHRBACK L.L.P.

1201 Third Avenue, Suite 3200

Seattle, WA 98101

Telephone: (206) 623-1900

Fax (206) 623-3384

gcappio@kellerrohrback.com

rmcdevitt@kellerrohrback.com

sread@kellerrohrback.com

*Attorneys for Plaintiffs Alexis and
George Cousino*

CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2022, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to the attorneys of record.

/s/ E. Powell Miller

E. Powell Miller